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GOVERNMENT OF ODISHA

DEPARTMENT OF HIGHER EDUCATION

RESOLUTION

The 9th May 2014

SUBJECT—Odisha State Higher Education Council - 2014

INTRODUCTION :

The aim of this Resolution is to provide for the determination, co-ordination, maintenance of standards in, and promotion of, higher education and research, including university education and college education at +3 and Post-Graduate level, and for that purpose, to establish the Odisha State Higher Education Council.

This will further promote the autonomy of higher educational institutions for the free pursuit of knowledge and innovation, and for facilitating access, inclusion and opportunities to all, and providing comprehensive and holistic growth of higher education and research in a competitive global environment through reforms and renovation; and to provide for an advisory mechanism of eminent peers in academia.

CHAPTER I

PRELIMINARY

1. Short title and commencement :

1.1. This Council may be called the “Odisha State Higher Education Council-2013”

1.2. It extends to the whole of Odisha

1.3. It shall come into force on such date as the State Government may, by Notification in the Official Gazette, appoint.

2. Applicability of Resolution :

The Resolution shall apply to all higher educational institutions; the University education, the +3 and Post-Graduate level education and the research institutions those are under the control of Higher Education Department of State Government/affiliated to State Universities.

3. Definitions :

In this Resolution, unless the context otherwise requires,—

3.1. “*Academic quality*” means the quality of teaching, learning and research and consequently their contribution to enhancement of knowledge and includes physical infrastructure, human resources (including faculty), administration, course curricula, admission and assessment procedures, governance structures, of the higher educational institutions;

3.2. “*Accreditation*” with its grammatical variations means the process of quality control in higher education, whereby, as a result of evaluation or assessment or by any method specified under the National Accreditation Regulatory Authority for Higher Educational Institutions Resolution, 2010, a higher educational institution or any programme conducted therein is recognised as conforming to parameters of academic quality and benchmarking of such academic quality determined by the Council under this Resolution;

3.3. “*Resolution*” means Odisha State Higher Education Council Resolution, 2013.

3.4. “*Affiliation*” together with its grammatical variations, includes, in relation to a—

- (i) recognition of such college or institution by a university; or
- (ii) association of such college or institution with a university; or
- (iii) admission of such college or institution to the privileges of a university.

3.5. “*Chairperson*” means Chairperson of the Odisha State Higher Education Council.

3.6. “*Search Committee*” means the Search Committee established under Section 4 of the Resolution;

3.7. “*Council*” means the Odisha State Higher Education Council;

3.8. “*Degree*” means an award, granted by a university or institution empowered by or under law to do so, certifying that the recipient has successfully completed a course of study;

3.9. “*Diploma*” means such award, not being a degree, granted by a higher educational institution, other than a polytechnic, certifying that the recipient has successfully completed a course of study not less than nine months duration;

3.10. “*Distance Education Systems*” means the distance education systems as defined in clause (e) of Section 2 of the Indira Gandhi National Open University Resolution, 1985 (50 of 1985);

3.11. “*Fellow*” means a member of the Search Committee and includes the Chair and Co-Chair;

3.12. “*Higher Education*” means such education, imparted by means of conducting regular classes or through distance education systems, beyond twelve years of schooling leading to the award of a degree or diploma; but does not include Medical Education/Engineering/Agricultural Education in institutions other than universities;

3.13. “*Institution of National Importance*” means an institution declared as such by a Central Resolution;

3.14. “*Overseas Citizen of India*” means such person registered as an overseas citizen of India under the Indian Citizenship Resolution, 1955 (Resolution No. 57 of 1955) as amended from time to time;

3.15. "Member" means a member of the Odisha State Higher Education Council and includes the Chairperson;

3.16. "State Education Tribunal" means State Educational Tribunal established under the Educational Tribunals Resolution;

3.17. "National Research Professor" means such person appointed, by the Central Government, under the National Research Professorship Scheme;

3.18. "Notification" means a notification published in the Official Gazette and the expression "notify" with its cognate meanings and grammatical variations shall be construed accordingly;

3.19. "Regulations" means regulations made by the Council under this Resolution, 2013;

3.20. "State University" means a University, or constituent units thereto, promoted and maintained, either directly or indirectly, by a State Government, and established or incorporated by or under any State Resolution;

3.21. "University" means a University established or incorporated by or under a Central Resolution or a State Resolution and includes an institution deemed to the University;

3.22. "Vice-Chancellor" means the Chief Executive of a University.

CHAPTER II

ODISHA STATE HIGHER EDUCATION COUNCIL

4. Establishment of Odisha State Higher Education Council :

4.1. The State Government shall, by notification, establish, a Council to be called the "Odisha State Council of Higher Education".

4.2. The Council shall be a body corporate by the name aforesaid, having perpetual and a common seal, with power, subject to the provisions of this Resolution, to acquire, hold and dispose of property, both moveable and immovable, and to contract resolution, and shall, by the said name, sue or be sued.

4.3. The head office of the Council shall be at Bhubaneswar

4.4. The Council would be set up as an independent and autonomous body

4.5. The Council must meet at least once every quarter

4.6. Quorum for the Council meetings shall be 1/3rd of the strength, including the Chairman and Chief Executive.

4.7. The composition of Council may be as follows :—

4.7.1. Chairperson

4.7.2. Vice-Chairperson

4.7.3. Member-Secretary (Chief Executive)

4.7.4. State Project Director

4.7.5. Fifteen (15) members

4.7.6. Secretariat and Administrative staff.

5. Formation of Council :

5.1. Appointment of Chairperson, Vice-Chairperson, Member-Secretary as Chief Executive and Members of Council and formation of Secretariat of Council :

- 5.1.1. The Council shall consist of a Chairperson, a Vice-Chairperson, a Member-Secretary as Chief Executive, a State Project Director and 15 other Members.
- 5.1.2. The office of the Chairperson, Vice-Chairperson and the Member-Secretary (Chief Executive) shall be for one non-extendable term of 05 (five) years.
- 5.1.3. The Chairperson shall be an eminent Academic/Public intellectual with proven leadership qualities.
- 5.1.4. The Vice-Chairperson must be an academic administrator with proven record (rank of a Professor). In case the Chair is a non-academic person, in other cases, it could be a professional from industry etc. with sufficient experience in the sector of higher education.
- 5.1.5. The Member-Secretary as Chief Executive shall be an eminent academic administrator with proven record (rank of a Professor).
- 5.1.6. The State Project Director must be an I.A.S. Officer of the rank of Commissioner/Secretary.
- 5.1.7. The Chairperson shall be selected by a Committee consisting of Chief Minister of the State, Speaker of Legislative Assembly, Leader of the Opposition on the basis of the recommendation of short listed candidates made by a Search-cum-Selection Committee.
- 5.1.7.1 The Search-cum-Selection Committee shall be a three member Committee of very eminent academic/public intellectual with proven record and integrity. The State Council shall nominate two members while the State shall nominate one and State Nominee will be the Chair. The Committee will recommend names of short listed candidates, maximum three to State Government (5.1.7), which will select one for appointment.
- 5.1.8. The Vice-Chairperson shall be selected by a Search Committee of three members. The Committee shall consist of the Chairman of the Council (as Chair) and two other members, one nominated by the State Council and one by the Government. They shall recommend one name to State Government, which will make the appointment.
- 5.1.9. A Search Committee of 03 members shall appoint the Member-Secretary. The Committee shall consist of the Chairman of the Council (as Chair) and two other members, one nominated by the State Council and one by the Government.
- 5.1.10. Initially, where there is no existing State Higher Education Council, the Council will be formed by a Committee to be appointed by the State, whose members must be :
 - 2 eminent scientists/social scientists
 - 1 former V.C. of a State University
 - 1 former Director of Institute of National repute within or outside the State
 - 1 former V.C. of a Central University.
- 5.1.11. Other members : There shall be 15 members, out of which 09 members shall be scholars being persons of eminence and standing in the field of individuals representing fields of arts, science and technology, culture, civil society and industry, 03 Vice-Chancellors of

State Universities, 02 Principals from Autonomous Colleges and 01 nominee of the Government of India.

- 5.1.11.1. Each with a term of 6 years, of whom one-third will retire every two years.
- 5.1.11.2. The existing Council will nominate 05 new members every 2 years.
- 5.1.11.3. At any point in time, 08 members of the Council should be from the State and 04 members from outside the State (of National importance). In case of non-availability of adequate outside members, it shall be filled up from the State.

When the Council is constituted initially,—

1/3rd, i.e. 05 members should be given one non-renewable term of 6 years

1/3rd, i.e. 05 members should be given 4 years term

1/3rd, i.e. 05 members should be given a term of 2 years

- 5.1.12. Selection of members : State will appoint a 5 member Selection Committee. The members must be :—

- 2 eminent scientists/social scientists
- 1 former V.C. of a State University
- 1 former Director of Institute of National repute within or outside the State
- 1 former V.C. of a Central University.

- 5.1.13. The Selection Committee shall devise its own procedure for assessing the suitability of the person from the panel of names.

- 5.1.14. Every appointment under this section shall take effect from the date on which it is notified in the Official Gazette by the State Government.

- 5.1.15. State Project Directorate (S.P.D.)

The S.P.D. shall consist of :

- 5.1.15.1. State Project Director : He/she must be an I.A.S. Officer of the rank of Commissioner/ Secretary, appointed by the State Government.

Functions :

- Overseeing project implementation at the State level
- Maintain statistical data and MIS Reports
- Engage Project Auditors as required.

- 5.1.16. Secretariat and Administrative Staff : The Council must have its own Secretariat and Administrative Staff. The staff will not be permanent to the Council but brought on deputation from other institutions and State Government and same may be *coterminous* with the scheme RUSA.

- Administrative Officer (on deputation of an O.A.S. officer in the rank of Joint Secretary)=01 No.
- Finance Officer (on deputation of an O.F.S. officer in the rank of Joint Secretary)=01 No.

- Section Officer = 01 No. (PB-2 with G.P. of Rs. 4,600)
- Senior Assistant = 02 Nos. (PB-2 with G.P. of Rs. 4,200)
- Junior Assistant = 04 Nos. (Rs. 5,200—20,800 with G.P. of Rs. 1,900) (with minimum proficiency in computer).

6. Resignation and removal of Chairperson, Vice-Chairperson and Members :

The Chairperson, Vice-Chairperson or any member may, by notice in writing under his hand, addressed to the Government, resign from office.

The Government may remove the Chairperson, Vice-Chairperson or any member, from the office who :

- 6.1. has been adjudged an insolvent; or
- 6.2. has engaged, at any time during his term of office, in any paid employment outside the duties of his office; or
- 6.3. has become physically or mentally incapable of officiating as Chairperson, Vice-Chairperson or other member; or
- 6.4. is of unsound mind and stands so declared by a competent Court; or
- 6.5. has been convicted of an offence which, in the opinion of the Government involves moral turpitude; or
- 6.6. has acquired such financial or other interest as is likely to affect prejudicially the exercise of his functions; or
- 6.7. has so abused his position as to render his continuance in office prejudicial to the public interest; or
- 6.8. has been guilty of proved misbehaviour; or
- 6.9. has such other disqualifications as is applicable holding of public office.

7. Term of office of Chairperson and Members :

7.1. A person appointed as Chairperson, Vice-Chairperson and Chief Executive shall hold office for a term of one non-extendable five years from the date of notification of his/her appointment in the Official Gazette :

Provided that they shall cease to hold office on attaining the age of seventy years.

7.2. The State Government shall, to the extent possible, initiate the process of appointment in respect of any vacancy due to arise on the post of Chairperson, Vice-Chairperson or Chief Executive or other members before a period of six months from the date of arising of such vacancy.

7.3. The State Government shall ensure that the process of appointment in respect of any vacancy in the post of Chairperson, Vice-Chairperson or Chief Executive or other members is completed within a period of six months from the date such vacancy had arisen.

8. Prohibition as to holding of office by Chairperson, Vice-Chairperson or Chief Executive or other member on ceasing to be such Chairperson, Vice-Chairperson or members :

On ceasing to hold office, the Chairperson, Vice-Chairperson or Chief Executive or other member shall be ineligible, for a period of five years from the date on which they cease to hold

office, for further employment in, or, in matters related to, any higher educational institution under the Central Government or a State Government or any private higher educational institution.

9. Member to resolution as Chairperson/Vice-Chairperson/Chief Executive or to discharge his functions in certain circumstances :

9.1. In the event of the occurrence of any vacancy in the office of the Chairperson/Vice-Chairperson/Chief Executive by reason of death, resignation or otherwise, the Government may, by notification, authorise one of the other whole-time Members, to resolution as the Chairperson/Vice-Chairperson/Chief Executive until the appointment of a person to fill such vacancy.

9.2. When the Chairperson/Vice-Chairperson/Chief Executive is unable to discharge his functions owing to absence on leave or otherwise, such one of the other whole-time Members, as the Government may, by notification, authorise, in this behalf, shall discharge the functions of the Chairperson/Vice-Chairperson/Chief Executive until the date on which the Chairperson/Vice-Chairperson/Chief Executive resumes his duties.

10. Chairperson/Vice-Chairperson/Chief Executive or Member not to participate in meetings in certain cases :

The Chairperson/Vice-Chairperson/Chief Executive or any other member having any direct or indirect interest on any agenda item along with pecuniary interest for discussion and decision, when comes to his/her knowledge, the concerned member(s) of the Council shall refrain from taking part in the deliberation or decision of the Council. This is to be recorded in writing by the State Project Director who is a part of the Council. Further, if any of the members remain absent for consecutive 02 (two) meetings without any valid reasons for the same he or she shall not be allowed to participate the next meeting but can participate in further meeting thereafter.

11. Declaration by Chairperson/Vice-Chairperson/Chief Executive and other Member :

The Chairperson/Vice-Chairperson/Chief Executive or other member shall, immediately after entering office and every year thereafter, make a declaration on the extent of his interest, whether direct or indirect and whether pecuniary or otherwise, in any institution of research or higher educational institution or in any other professional or financial activity.

12. Terms and conditions of service of Chairperson, Vice-Chairperson and Members :

12.1. The salaries and allowances payable to, and the status and other terms and conditions of service of the Chairperson and Vice-Chairperson of the Council shall be decided by the Government.

12.2. The salaries and allowances payable to, and the status and other terms and conditions of service of the whole-time Members other than the Chairperson and Vice-Chairperson shall be decided by the Government.

12.3. The Chairperson, Vice-Chairperson or other whole-time Member, if at the time of his appointment is in receipt of a pension in respect of any previous service under the Government of India or the Government of a State, his salary in respect of the service as the Chairperson, Vice-Chairperson or such Member shall be reduced by the amount of that pension including any portion

of pension which was commuted and pension equivalent of other forms of retirement benefits excluding pension equivalent of retirement gratuity :

Provided that if the Chairperson, Vice-Chairperson or such whole-time Member, if at the time of his appointment is in receipt of retirement benefits in respect of any previous service rendered in a Corporation established by or under any Central Resolution or State Resolution or a Government Company owned or controlled by the Central Government or the State Government, his salary in respect of the service as the Chairperson or Member shall be reduced by the amount of pension equivalent to the retirement benefits.

12.4. The status and privileges accorded to members, other than whole-time members, shall avail only such sitting fees and other allowances, as will be decided by the State Government from time to time.

13. Vacancies, etc., not to invalidate the proceedings of the Council :

No resolution or proceedings of the Council shall be invalid merely by reason of—

- (a) any vacancy in, or any defect in the Constitution of the Council; or
- (b) any defect in the appointment of a person acting as a Member of the Council; or
- (c) any irregularity in the procedure of the Council not affecting the merits of the case.

14. Officers and other staff of the Council :

14.1. The Council may, for the efficient performance of its functions under this Resolution, appoint, in such manner and with such qualifications (Executive Directors) and such other officers and employees, as may be specified by regulations.

14.2. The number of, the salaries and allowances payable to, and the other terms and conditions of service of the (Executive Directors) and other officers and employees of the Council, shall be such as may be specified by regulations.

14.3. The Council may appoint, in such manner for such temporary period and on such terms and conditions as may be specified by regulations, such other academic, management, accounting, technical and scientific experts as it may consider necessary for the efficient performance of its functions.

14.4. Every appointment under sub-section (3), including the qualifications of the person so appointed and the manner, the terms and conditions and the period of such appointment, shall be disclosed on the website of the Council.

15. Procedure to be regulated by the Council :

15.1. The Council may delegate such of its powers, not being matters of policy or relating to exercise of its regulatory functions provided under this Resolution, to a Committee of Chairperson and the other whole-time Members.

15.2. Subject to the provisions of this Resolution, the Council shall have the power to lay down, by regulations, its own procedure for the conduct of its business and the exercise of its powers and functions.

15.3. All orders and decisions of the Council shall be authenticated by an (Executive Director) or any other officer of the Council duly authorised by the Chairperson on his behalf.

CHAPTER III

POWER AND FUNCTION OF THE COUNCIL

16. The Council shall, subject to the provisions of this Resolution and regulations made thereunder, take measures to :

16.1. Regulatory Function ;

16.1.1. Strategy and Planning :

16.1.1.1. Prepare the State Higher Education Plan (Perspective Plan, Annual Plan and Budget Plan).

16.1.1.2. Provide State institutions input for creating their Plans and implementing them.

16.1.1.3. Co-ordinate between apex bodies, regulatory institutions and Government.

16.1.2. Monitoring and Evaluation :

16.1.2.1. Monitor the implementation of State Higher Education Plan.

16.1.2.2. Evaluate State institutions on the basis of norms and Key Performance Index (KPI) developed under RUSA (the Council may, for its own use, develop additional norms as it thinks fit).

16.1.2.3. Create and maintain the management information systems.

16.1.2.4. Compile and maintain periodic statistics at State and institutional level.

16.1.2.5. Update details containing every information for easy and wider access to the persons of interest through its own website.

16.1.2.6. Specify norms and mechanisms to measure the productivity of research programmes funded by the Council.

16.1.2.7. Develop mechanisms for social audit of the processes in the Council and obtain public feedback on its performance and achievements.

16.1.3. Quality Assurance and Academic Functions :

16.1.3.1. Specify norms and mechanisms to enhance the quality of faculty.

16.1.3.2. Specify norms and mechanisms to enhance quality of examination.

16.1.3.3. Specify norms and mechanisms to provide approval for setting up new institutions/ colleges.

16.1.3.4. Advise universities on statute and ordinance formulation.

16.1.3.5. Promote and protect the autonomy of higher educational institutions for the free pursuit of knowledge and innovation, and for facilitating access, inclusion and opportunities to all, and providing for comprehensive and holistic growth of higher education and research in a competitive global environment, through reforms and innovation.

16.1.3.6. Specify norms and standards for grant of authorisation, to a university or a higher educational institution empowered, by or under law, to award any degree or

diploma, to commence its first academic operations; it should be within the available structure of the institutions in shape of infrastructure and manpower.

- 16.1.3.7. Develop, from time to time, a national curriculum framework with specific reference to new or emerging or inter-disciplinary fields of knowledge and to provide a vision and guide universities/colleges in recognising and revising course curricula.
- 16.1.3.8. Specify norms and mechanisms to maintain quality of curriculum.
- 16.1.3.9. Specify requirements of academic quality for the award of any degree or diploma in any field of higher education and research.
- 16.1.3.10. Specify norms of academic quality for accreditation and benchmarking of higher educational institutions.
- 16.1.3.11. Specify norms and processes for establishment and winding up of a university/college.
- 16.1.3.12. Specify norms of academic quality for a university to affiliate colleges.
- 16.1.3.13. Encourage joint and cross-disciplinary programmes between and amongst universities and other higher educational institutions.
- 16.1.3.14. Promote synergy of research in universities and colleges with research in other agencies or laboratories.
- 16.1.3.15. Specify norms and mechanisms for transparent, efficient and accountable governance in universities, colleges and other higher educational institutions.
- 16.1.3.16. Promote use of technology in learning, especially deployment of ICT tools.
- 16.1.3.17. Encourage, through the creation of an enabling environment, universities to become self-regulatory bodies for the maintenance of academic quality in higher education and research and in colleges affiliated to it.
- 16.1.3.18. Develop policies and processes that would create an enabling environment for eligible youth to take up teaching and research as occupation and career.
- 16.1.3.19. Develop policies and processes that would enable qualitative and meaningful interaction between students and teachers in higher educational institutions.
- 16.1.3.20. Cause to be undertaken research to assess future knowledge manpower requirements, both in the short-term and in the long-term, in different fields of knowledge for meeting the needs of the economy.

16.1.4. Advisory Functions :

- 16.1.4.1. Advise State Government on strategic investments in higher education.
- 16.1.4.2. Advise universities on statute and ordinance formulation.
- 16.1.4.3. Advise on matters of regulation of existing private institutions and permission to new ones.
- 16.1.4.4. Advise on Open and Distance Education (O.D.L.) strategies.
- 16.1.4.5. Advise, when called upon to do so, the Central Government and State Governments, as the case may be, on policies relating to higher education and research in any field of knowledge therein.

16.2. Funding Function :

- 16.2.1. Determine the methodology for timely transfer of State's share of funds to institutions.
- 16.2.2. Disburse funds to State universities and colleges on the basis of the State Higher Education Plan and transparent norms.
- 16.2.3. Specify sources, norms and mechanisms for financing higher educational institutions.

CHAPTER IV

FINANCE, ACCOUNTS AND AUDIT

17. Fund of Council :

17.1. The Council shall have its own Fund; and all sums which may, from time to time, be paid to it by the State Government or Central Government as the case may be and all other receipts of the Council shall be carried to the Fund and all payments by the Council shall be made therefrom.

17.2. The Council may spend such sums as it thinks fit for performing its functions under this Resolution, and such sums shall be treated as expenditure payable out of the Fund of the Council.

18. Grants by State Government :

18.1. The State Government shall, after due appropriation made by Assembly by law in this behalf, make to the Council grants of such sums of money as are required to pay salaries and allowances payable to the Chairperson and Members, the administrative expenses including the salaries, allowances and pension payable to or in respect of officers and other employees of the Council and the administrative expenses of the Search Committee.

18.2. The State Government shall, after due appropriation made by Assembly by law in this behalf, make to the Council grants of such sums of money as are required for causing to be undertaken policy research to aid the Council in the exercise of its powers and performance of its functions under this Resolution.

19. Annual Financial Statement on Higher Education and Research :

19.1. The Council shall, in respect of each financial year, provide to the State Government a statement of the estimated expenditure on development of higher education and research for that year, referred to as the "annual financial statement on higher education and research" comprising the "annual financial support plan for higher education" and the "annual financial support plan for research" for that year.

19.2. The estimates of expenditure on development of higher education and research under sub-section shall be based on norms, principles and criteria specified under regulations.

19.3. The Council shall provide that part of the estimated expenditure planned to be appropriated towards research, along with an explanatory memorandum on the research programmes proposed to be funded and an assessment of the productivity of research programmes funded in the past five years.

19.4. The assessment of the productivity of research programmes under sub-section (3) shall be based on norms as may be specified by regulations.

19.5. The State Government shall cause the annual financial statement on higher education and research, with such modifications as it may recommend, to be laid before Assembly.

19.6. The State Government shall, after due appropriation made by Assembly by higher education and law in this behalf, make to the Council grants of such sums of money as are required for supporting the promotion and development of research.

20. Annual Funding Support Plan for Higher Education :

20.1. The Council shall, by regulations, establish principles, norms and criteria that would govern the block grants to be provided by it to support universities and other higher educational institutions for their general development and maintenance.

20.2. The Council shall, in respect of each financial year on the basis of grants provided to prepare "annual funding support plan for higher education" detailing the universities and other higher educational institutions proposed to be supported and the grants proposed in respect of each university and other higher educational institution, along with an explanatory memorandum specifying the reasons thereto.

20.3. The annual financial support plan for higher education as soon as may be after it is made, be published on the website of the Council and laid before the Assembly.

By order of the Governor

GAGAN KUMAR DHAL

Principal Secretary to Government